
SENATE BILL No. 494

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-2-2-4.

Synopsis: County commissioner districts. Requires county commissioner districts in certain counties to contain, as nearly as possible, equal population.

Effective: July 1, 2009.

Waltz

January 15, 2009, read first time and referred to Committee on Elections.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 494

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-2-2-4, AS AMENDED BY P.L.230-2005,
2 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 4. (a) This subsection does not apply to a county
4 having a population of:
5 (1) more than four hundred thousand (400,000) but less than
6 seven hundred thousand (700,000); or
7 (2) more than two hundred thousand (200,000) but less than three
8 hundred thousand (300,000).
9 The executive shall divide the county into three (3) districts that ~~are~~
10 **must be** composed of contiguous territory, ~~and are must be~~ reasonably
11 compact, **and must contain, as nearly as possible, equal population.**
12 The district boundaries drawn by the executive must not cross precinct
13 boundary lines and must divide townships only when a division is
14 clearly necessary to accomplish redistricting under this section. If
15 necessary, the county auditor shall call a special meeting of the
16 executive to establish or revise districts.
17 (b) This subsection applies to a county having a population of more



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than four hundred thousand (400,000) but less than seven hundred thousand (700,000). A county redistricting commission shall divide the county into three (3) single-member districts that comply with subsection (d). The commission is composed of:

- (1) the members of the Indiana election commission;
- (2) two (2) members of the senate selected by the president pro tempore, one (1) from each political party; and
- (3) two (2) members of the house of representatives selected by the speaker, one (1) from each political party.

The legislative members of the commission have no vote and may act only in an advisory capacity. A majority vote of the voting members is required for the commission to take action. The commission may meet as frequently as necessary to perform its duty under this subsection. The commission's members serve without additional compensation above that provided for them as members of the Indiana election commission, the senate, or the house of representatives.

(c) This subsection applies to a county having a population of more than two hundred thousand (200,000) but less than three hundred thousand (300,000). The executive shall divide the county into three (3) single-member districts that comply with subsection (d).

(d) Single-member districts established under subsection (b) or (c) must:

- (1) be compact, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);
- (2) contain, as nearly as is possible, equal population; and
- (3) not cross precinct lines.

(e) A division under subsection (a), (b), or (c) shall be made:

- (1) during the first year after a year in which a federal decennial census is conducted; and
- (2) when the county adopts an order declaring a county boundary to be changed under IC 36-2-1-2.

(f) A division under subsection (a), (b), or (c) may be made in any odd-numbered year not described in subsection (e).

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